GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Registration and Stamps Department – Computer Aided Administration of Registration Department (CARD) Project – Improvements and new initiatives in the existing CARD system for effective, prompt and transparent service delivery – Orders – Issued.

REVENUE (REGN.I) DEPARTMENT

G.O.MS.No. 606 **Dated: 15-12-2017**
Read the following:

From the Director & Inspector General, Andhra Pradesh, Vijayawada letter No.G1/4997/2017, dated 17.10.2017.

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ORDER:-

The Director & Inspector General, Registration and Stamps, Andhra Pradesh, Vijayawada has submitted proposals on the following:-

A. Online issuance of Encumbrance Certificate
B. Online issuance of Certified Copies
C. Display of Prohibited Properties to public
D. Public Data Entry

A. Encumbrance certificate :

Registration is meant to prevent fraud and the law of registration has its genesis in the Statute of Frauds in England. Registrars under the Registration Act are called the Registrars of Assurances. The main purpose of the Act is to prevent frauds, by allowing for copying as well as making documents accessible to the public. Section 57(1) of the Registration Act mandates that the book No.I and index relating to book No.I shall at all times be open for inspection and copies of entries of such book shall be given to all persons applying for such inspection/copies. So far as book No.III and IV are concerned, such copies can be given only to the executants or those claiming through them, as the case may be (after the death of the executants in case of book No.III). In order to make it more simple, the Director & Inspector General, Registration & Stamps has proposed that the citizen be given the provision of searching the encumbrance online without approaching any Sub Registrar Office and stated the following benefits in the proposed system:

- It helps the citizen to obtain Encumbrance Certificate without going either to Meeseva Centre or to Sub Registrar Office twice i.e, for applying and receiving the E.C.

- It saves valuable time of the citizen and employees of Registration Department.

- It reduces dependency on the third party for obtaining services.

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- It helps in rendering hassle free service to the citizens.

- It helps investigating agencies like CID, ACB and CBI to obtain data from the website directly.

- It helps the Income Tax and other revenue departments to obtain the property details.

B. Certified Copies :

Registered copy is the copy of a public document contemplated under Section 74, Sub-section (2) of the Indian Evidence Act, is indisputable and the copy of such a document is a certified copy of a public document under Section 76 of the Indian Evidence Act. The certified copies of transactions like Sale, Gift, Settlement, Lease, Release, Mortgage, Partition, Exchange, and General Power of Attorney with Sale Condition involving immovable property are at present being issued at Sub Registrar Office and at Meeseva Centres on payment of requisite fee.

The Director & Inspector General, Registration & Stamps has also stated that more transparency and effective service would be rendered if the certified copies of transactions are issued through web. Since the images of the registered documents being stored in the central repository along with the digital signature and certified copy images are being generated electronically by the CARD Software, no signatures are required and valid information will be provided to the citizen who will be provided with details on the property and the citizen will be able to judge the genuineness of the property and property holders as he can see the seller and buyer information and would also recognize the person through the photographs provided in the document and will pave the way for ease of doing business. This information will facilitate E governance in other departments dealing with the preparation and maintenance of records, acquisition, assignment, levy and assessment of taxes, grant of loans, subsidies and other benefits.

C. Prohibited Properties:

Section 22-A of Registration Act, 1908 in its application to the State of Andhra Pradesh has been incorporated by Act-4 of 1999 to empower the Government to notify the registration of such documents or class of documents as opposed to public policy and to refuse the registration of such documents. The Government have notified through G.O.Ms. No. 863, Revenue(Regn.I) Department dated 20-6-2007 bringing the Andhra Pradesh Amendment Act, No. 19 of 2007 into force from 20.6.2007 by specifying the certain classes of documents, as prohibited from registration.

To provide transparency in respect of the properties which are prohibited from registration, the lists of prohibited properties notified under Section 22-A of Registration Act, 1908 by the competent authorities i.e., the District Collectors, Commissioner of Endowments &

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Chief Executive Officer, Wakf be made available in the registration department website i.e., "http://registration.ap.gov.in" so that the registering public can verify the prohibited nature of the property before entering into any agreements/transactions, and thereby many of the fraudulent transactions/activities can be curtailed.

D. Public Data Entry

Whenever a registering party approaches the Sub Registrar Office for getting his document registered, the index particulars of the registering property will be entered into the database namely, the names, aadhaar card numbers and addresses of the executing and claiming parties, description of the property i.e., survey number, extent, boundaries, Village, Payment done and mode of payment etc by the staff of the Sub Registrar Offices and thereafter the thumb impressions and photographs of all the parties and witnesses to the document are captured by the help of biometric devices. After capturing the required particulars, the registration process will be completed by making necessary endorsements on the backside of the document, and scanning the document. The scanned document will be returned to the applicant. The completion of entire procedure for a document is time consuming.

The Director & Inspector General, Registration & Stamps has proposed public data entry system which reduces the time being spent by the citizens in the Sub Registrar Offices and ensures error free data in the database, and provides the citizen to enter all the data himself at his home/internet centre etc., which will automatically generate the document basing on the contents entered by him and the citizen can take a print of the document and present the same before the Sub Registrar for Registration. Then the Sub Registrar will verify the data entered by the Citizen and make necessary corrections if any required and simply capture the thumb impressions and photographs of the parties and witnesses to the document and complete the registration procedure by making required endorsements and scan the document and return to the citizen. This will reduce the duration of stay of the parties at the Sub Registrar Offices to a great extent. The benefits with the proposed system are –

- Data entry from Anywhere at Any time;
- Correctness of the data entered remains in public control and correct input data entry will be reflected;
- The registration process takes considerably lesser time than in the existing system and the documents will be returned to the parties automatically.
- There will be no necessity to depend on third party for preparation of documents.
- Provision of online payment of duties avoids visiting banks.

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2. Government after careful examination of the proposal of the Director & Inspector General, Registration & Stamps, in detail, have decided and accordingly hereby order the following:-

a) Issue of Encumbrance Certificates online at free of cost ;

b) Issue of Certified Copies online at free of cost ;

c) Publication of Prohibited Properties in the Department Website;

d) Provision of Public Data Entry, Preparation of Document and payment of duties online.

3. The Director & Inspector General, Registration and Stamps, A.P., Vijayawada shall take necessary further action accordingly in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Director & Inspector General,
Registration and Stamps, AP, Vijayawada.
All the District Collectors of Andhra Pradesh

Copy to:

The P.S to Spl. C.S to C.M
The P.S To Spl. C.S To Govt (R&S)
SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER